

**PLANNING COMMISSION AGENDA  
REGULAR MEETING  
MONDAY, MARCH 17, 2014**

**STUDY SESSION: 4:30 P.M. – CITY COUNCIL CHAMBERS**  
**MEETING: 5:00 P.M. - CITY COUNCIL CHAMBERS**

1. Meeting Called to Order.
2. Roll Call.
3. Determination as to Legality, Notice of Meeting and Agenda.
4. Reading of the Minutes of the February 17, 2014 Regular Meeting.
5. Public comment period. The general public is invited to address the Planning Commission regarding any item on this agenda. The overall and individual speaking time allotments may be limited by the Chair.
6. Consider request of Brianna Kindlet and Kelly Garay to have a beauty shop home occupation at 1235 North Nye as part of a permitted conditional use. Article 611. R1 – Single Family Residential District.
7. Consider request to split Lot 9, Block 3, Central Park Addition, City of Fremont, Dodge County, Nebraska Into two lots (Siems.)

**THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE AND THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT [WWW.FREMONTNE.GOV](http://WWW.FREMONTNE.GOV); AND DISTRIBUTED TO THE PLANNING COMMISSION, MAYOR AND CITY COUNCIL ON MARCH 12, 2014 AND IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC AT THE OFFICE OF THE CITY PLANNER, 400 EAST MILITARY. A COPY OF THE OPEN MEETING LAW IS POSTED CONTINUALLY FOR PUBLIC INSPECTION LOCATED NEAR THE ENTRANCE DOOR BY THE AGENDAS. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.**

## STAFF REPORT

**TO:** Planning Commission

**FROM:** Rian Harkins, Planning Director

**DATE:** 10 March 2014

**SUBJECT:** Request to split Lot 9, Block 3, Central Park Addition, City of Fremont, Dodge County, Nebraska into two lots (Siems).

<b>Recommendation: Staff recommends approval subject to the conditions below.</b>
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**Request:**

The applicant seeks approval of a lot split involving the lot at 2026 E 28<sup>th</sup> Street.

**Background:**

The lot split is being requested by the existing owner of property in order to better accommodate the potential sale of property for townhome development.

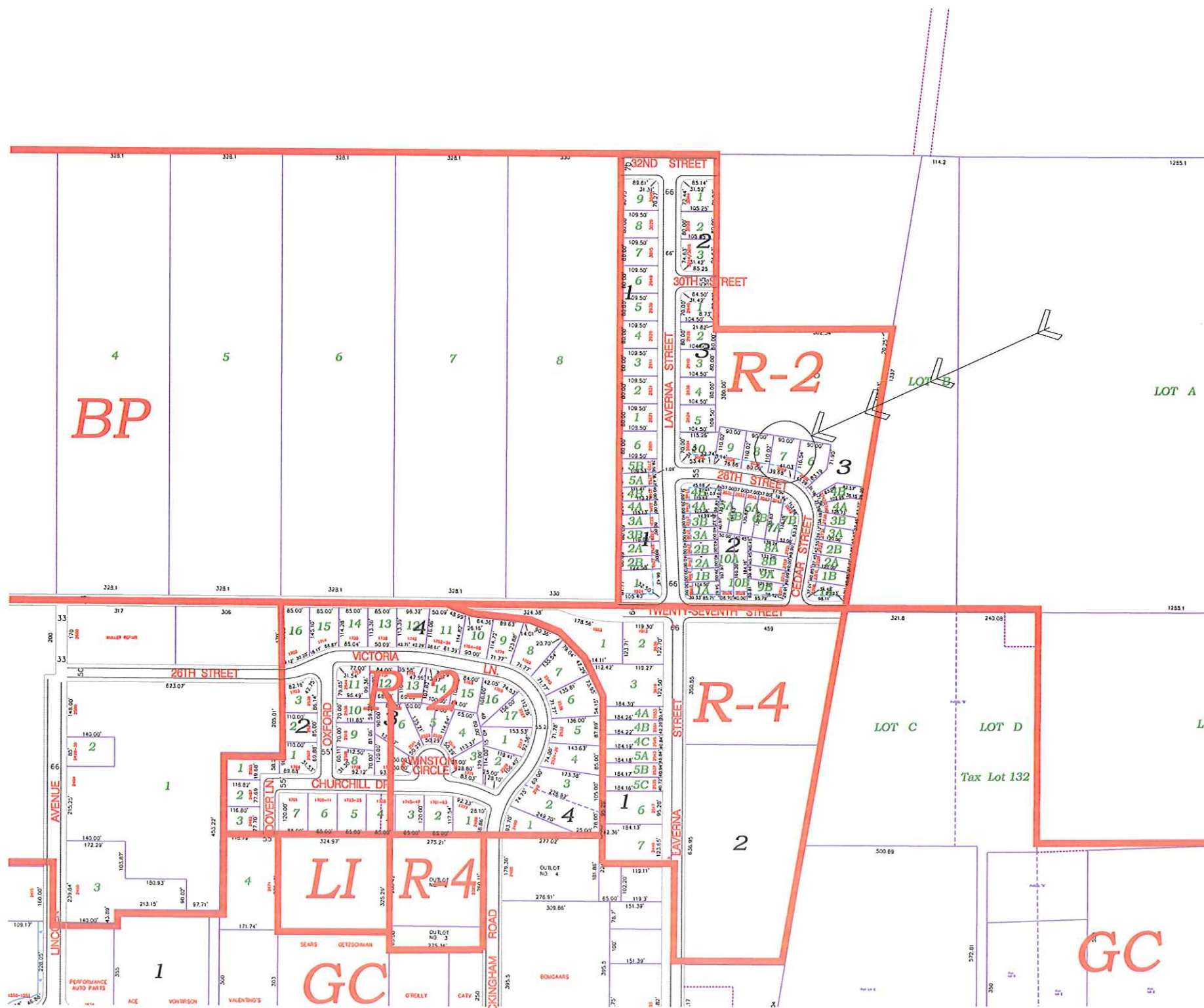
The lot is within an R-2 Moderate Density Zoning District, as is most of the surrounding area. Land uses are primarily residential, with the Fremont Technology Park located west of this neighborhood. The proposed lot split will conform to the setback requirements of this zoning district for townhomes.

Staff is recommending approval subject to the following:

- 1) A 5' utility easement is in place along the front of the property as indicated on the original final plat. This easement needs to be included in this replat.
- 2) There is a triangular shaped sidewalk easement at the northeast corner of what is proposed lot 9A. This should be included as well.

**Findings:**

The proposed lot split will be in compliance with the requirements of the R-2 Zoning District and the Future Land Use Plan, and is in conformance with the proposed Comprehensive Plan, Blueprint for Tomorrow.





[illegible]

R-2

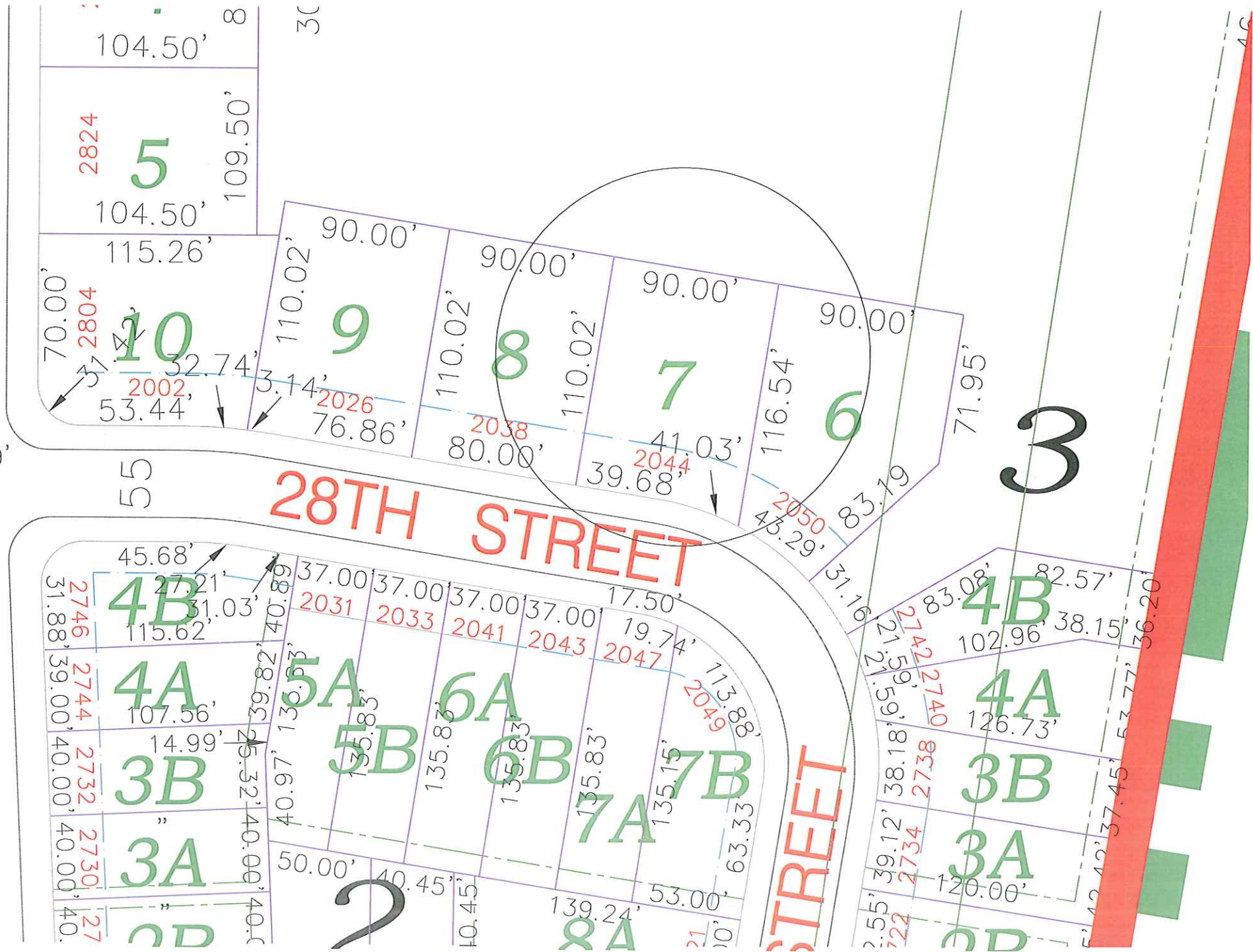
*LOT B*

28TH STREET

63.33  
CEDAR STREET  
37.01

LAVER

1.09'























A REPLAT OF LOT 9, BLOCK 3, CENTRAL PARK ADDITION  
TO THE CITY OF FREMONT, DODGE COUNTY, NEBRASKA

LOT 9, BLOCK 3, OF CENTRAL PARK ADDITION,  
TO THE CITY OF FREMONT, DODGE COUNTY,  
NEBRASKA.

KNOW ALL MEN BY THESE PRESENTS: THAT JOYCE SIEMS, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID LAND TO BE REPLATTED INTO TWO (2) LOTS, TO BE NAMED AND NUMBERED AS SHOWN, SAID REPLAT TO BE HEREAFTER KNOWN AS "REPLAT OF LOT 9, BLOCK 3, OF CENTRAL PARK ADDITION". SAID OWNER HEREBY RATIFIES AND APPROVES OF THE DISPOSITION OF THEIR PROPERTY, AS SHOWN ON THIS PLAT. SAID OWNER HEREBY GRANTS UTILITY EASEMENTS AT THE LOCATIONS AND WIDTHS SHOWN ON THIS PLAT. SAID EASEMENTS ARE RESERVED FOR THE USE OF PUBLIC UTILITIES, AND ARE SUBJECT TO THE PARAMOUNT RIGHT OF THE PUBLIC UTILITY TO INSTALL, REPAIR, REPLACE AND MAINTAIN ITS INSTALLATIONS.

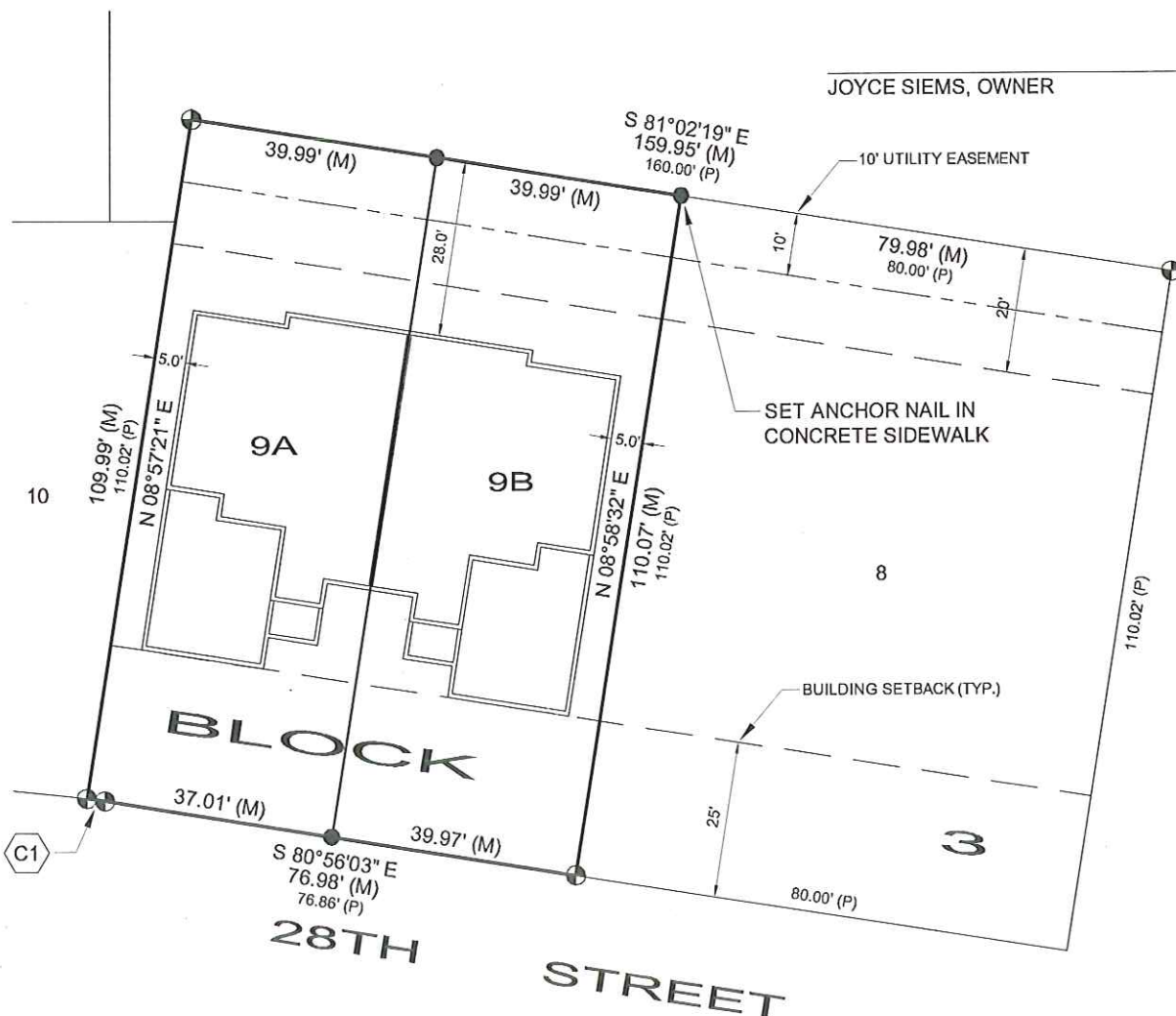
STATE OF NEBRASKA                    )  
                                              ) SS  
DODGE COUNTY                         )

THE FOREGOING DEDICATION WAS ACKNO

OF \_\_\_\_\_

NOTARY PUBLIC

MY COMMISSION EXPIRES



JOYCE SIEMS, OWNER

CITY OF FREMONT PLANNING COMMISSION AP

THIS REPLAT OF LOT 9, BLOCK 3, OF CENTRAL PARK ADDITION  
APPROVED BY THE CITY OF FREMONT PLANNING COMMISSION  
TO THE CITY COUNCIL OF FREMONT, NEBRASKA, WITH THE UNDERSTANDING  
IT BE APPROVED AS PROPOSED.

DATED THIS                      DAY OF

CITY OF FREMONT PLANNING COMMISSION:

CHAIRPERSON

SECRETARY

**FREMONT CITY COUNCIL APPROVAL :**

THE PLAT AND THE DEDICATIONS SHOWN ON THIS PLAT A  
FREMONT CITY COUNCIL, DODGE COUNTY, NEBRASKA,

THIS DAY OF

MAYOR

CITY CLERK

OWNER:

JOYCE SIEMS  
2032 E. 28TH STREET  
FREMONT, NE 68025

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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## STAFF REPORT

**TO:** Planning Commission

**FROM:** Rian Harkins, Planning Director

**DATE:** 10 March 2014

**SUBJECT:** Request to approve a conditional use application for a beauty shop as a permitted conditional use, 1235 North Nye Fremont, Fremont, Dodge County, Nebraska (Kindlet/Garay).

<b>Recommendation: Staff recommends approval.</b>
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**Request:**

The applicant seeks approval of a conditional use permit in order to operate a beauty shop at the address listed above.

**Background:**

The request is for the approval of a conditional use of a home based business within the R-1 Single Family Residential zoning district. The approval of a CUP is required because Article 611 prohibits such a use as a home based business unless a conditional use permit is approved.

The applicant is applying for the CUP with the understanding that the proposed beauty shop will be for a single operator who is also occupying the residence. The shop owner is one of the proposed applicants. Adjacent properties are within the R-1 zoning district as well.

Staff is recommending approval subject to the provisions of Article 611 that relate to home based businesses.

**Findings:**

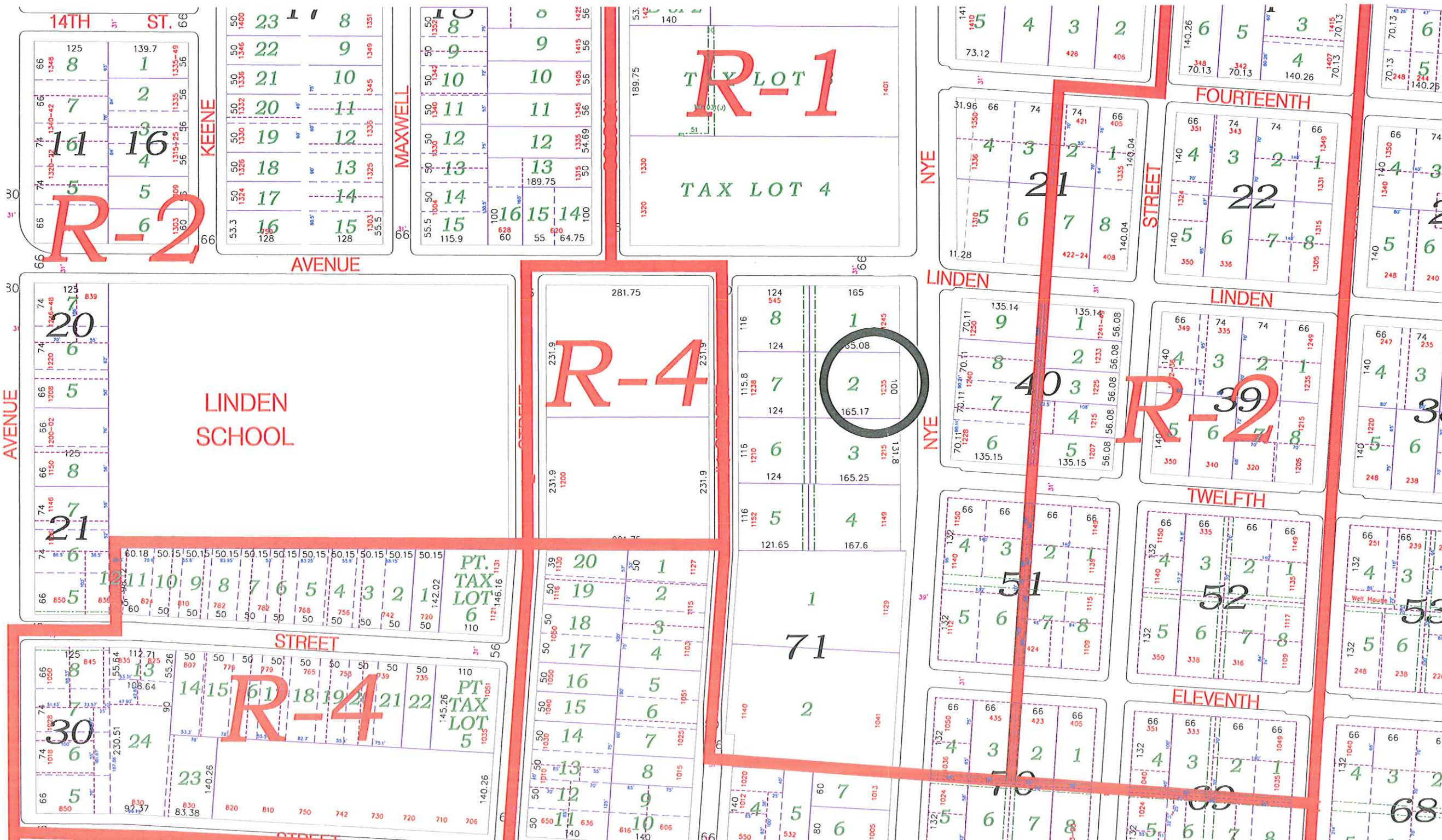
The proposed conditional use will be in compliance with the requirements of the R-1 Single Family Residential zoning district as well as meeting the intent of the Future land Use Plan, and is in conformance with the proposed Comprehensive Plan, Blueprint for Tomorrow.

	CRITERIA	Compliance
Land Use Compatibility		
Development Density	Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.	Yes
Height and Scale		



Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	Yes
Setbacks	Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.	Yes
Building Coverage	Building coverage should be similar to that of surrounding development of possible. Higher coverage should be mitigated by landscaping or site amenities.	Yes
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<b>Site Development</b>		
Frontage	Project frontage along a street should be similar to lot width.	Yes
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	Yes
	All structures must be accessible to public safety vehicles.	Yes
	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	Yes
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.	Yes
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Building Design	Architectural design and building materials should be compatible with surrounding areas or highly visible locations	Yes
<b>Operating Characteristics</b>		
Traffic Capacity	Project should not obstruct traffic on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	Yes
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	Yes
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	Yes
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses.	Yes
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<b>Public Facilities</b>		
Sanitary Waste Disposal	Developments within 500 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.	Yes
	Sanitary sewer must have adequate capacity to serve development.	Yes
Utilities	Project must be served by utilities.	Yes
	Rural estate subdivisions should be located in designated areas which can accommodate utility and infrastructure installation consistent with the need to protect the environment and public health.	NA
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Comprehensive Plan	Projects should be consistent with the City of Fremont's Comprehensive Development Plan.	Yes









28.31 Feet

11.98 Feet

56.84 Feet





North Nye Avenue

West 12th Street







## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Rian Harkins, Planning Director  
**DATE:** 10 March 2014  
**SUBJECT:** Study Session on the proposed Unified Development Code

<b>Recommendation: None</b>
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Staff will lead a study session on sections of the draft Unified Development Code. Primary focus will be on Articles 2 and 3 (Zoning Districts and Land Uses).